AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF RICHMOND AND THE COUNTY OF CONTRA COSTA REGARDING SOLID WASTE TRANSFER FACILITY HOST COMMUNITY MITIGATION FEES

- 1. **EFFECTIVE DATE AND PARTIES**: Amendment No. 1 to the Memorandum of Understanding by and between the City of Richmond and the County of Contra Costa Regarding Solid Waste Transfer Facility Host Community Mitigation Fees is effective April 1, 2008 and is made by and between the City of Richmond, a municipal corporation (City), and the County of Contra Costa, a political subdivision of the State of California (County). City and County are collectively referred to as the "Parties," and each is a "Party."
- 2. **PURPOSE**: The parties now desire to amend that Memorandum of Understanding as follows:
- 3. **AMENDMENT**: **Section 5 Joint Administration** shall be deleted in its entirety and replaced with the following:
 - "City and County agree that the Mitigation Fee monies collected from the Applicant will be paid to the County, held in a dedicated separate account and jointly administered for the benefit of the incorporated and unincorporated North Richmond area. Recommendation for expenditures of the Mitigation Fee shall be made by a committee composed of three members of the Richmond City Council or their designee(s), one member of the Contra Costa County Board of Supervisors or his/her designee, two members of the North Richmond Municipal Advisory Committee appointed by the Contra Costa County Board of Supervisors (both of whom must be residents from the unincorporated North Richmond area), and one resident from the incorporated portion of North Richmond appointed by the Richmond City Council. The Richmond City Council and the Contra Costa County Board of Supervisors have the right to designate one or more alternates for the committee member seats for which they have appointment authority. Final approval of a two year expenditure plan shall be made by the Richmond City Council and the Contra Costa County Board of Supervisors. In the event that a two year expenditure plan is not adopted by the Richmond City Council and the Contra Costa County Board of Supervisors, the Mitigation Fee monies shall be divided equally between the City of Richmond and Contra Costa County and shall be spent to mitigate the impacts of the Project on the host community."
 - 4. **EFFECT**: Except for the amendments agreed to herein, the above referenced Memorandum of Understanding remains in full force and effect.

5. **SIGNATURES**: The following signatures attest the Parties' agreement hereto.

CITY OF RICHMOND, CALIFORNIA, a municipal corporation	COUNTY OF CONTRA COSTA , a political subdivision of the State of California
Ву:	By:
Attest: CITY CLERK	Attest: John Cullen, CLERK OF THE BOARD
Ву:	By:
Date:	Date:
Date of Council Approval:	Date of Board Approval:
APPROVED AS TO FORM	APPROVED AS TO FORM
City Attorney	Silvano B. Marchesi, County Counsel
By:	By:
	Deputy